

# Wetlands Bureau Decision Report

Decisions Taken  
09/04/2006 to 09/10/2006

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2006-00333**

**CBS HOLDINGS LLC**

**ANTRIM Unnamed Wetland**

### Requested Action:

Dredge and fill 2,770 square feet of riverine and palustrine forested wetlands to install a 30-inch x 55-foot culvert and associated headwalls and inlet and outlet protection impacting 345 linear feet in the banks and bed of the channel to construct an access road to a 6-lot residential subdivision on an approximately 24 acre parcel.

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### APPROVE PERMIT:

Dredge and fill 1,990 square feet (1,574 square feet permanent impacts) of riverine and palustrine forested wetlands to install a 6-foot (rise) x 5-foot (span) x 48-foot (length) concrete box culvert and associated headwalls and inlet and outlet protection impacting 246 linear feet in the banks and bed of the channel to construct an access road to a 6-lot residential subdivision on an approximately 24 acre parcel.

### With Conditions:

1. All work shall be in accordance with plans by Donald R. Mellen Surveyor, LLC dated August 29, 2006 (revised), as received by the DES Wetlands Bureau on August 29, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds by the Permittee and a copy of the registered permit has been received by the DES Wetlands Bureau.
4. The deed which accompanies the sales transaction of each lot in this subdivision shall contain condition #5 of this approval.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The no-cut wetland buffer, as established in the approved plans, shall be recorded in the deeds of Lots 3-1 and Lots 3-1-1 through 3-1-5.
7. All work shall be done during low flow.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
13. Silt fence(s) must be removed once the area is stabilized.
14. The culvert shall be embedded and native material removed from the streambed during culvert installation shall be stockpiled separately and reused to emulate a natural stream channel bottom within the culvert. Any nonnative materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Temporary structures installed to channel flow through the work area during construction shall be entirely removed immediately following construction.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering or working near surface waters or wetlands.

20. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
21. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
22. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(k), projects in a wetland that have been identified by Natural Heritage Inventory - Department of Resources and Economic Development as an exemplary natural community, and/or that has documented occurrences of state or federally listed Endangered or Threatened species.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary for the construction of an access road for a 6-lot residential subdivision.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Env-Wt 302.03. The subdivision was configured to minimize stream and wetlands impacts by constructing a common access road and proposing the installation of a box culvert rather than the pipe culvert originally proposed. The proposed project also includes the establishment of a no-cut buffer for the major wetland complex on the subject property.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The impacted stream and wetland is a tributary to the main marsh/pond wetland complex located on the west and north of the subject property. The wetland complex outlets to Steels Pond. The major functions of the wetland complex are wildlife habitat, stormwater retention, and sediment/toxicant/pathogen retention.
6. The Nongame and Endangered Wildlife Program of the NH Fish and Game Department (NHFGD) has record of pied-billed grebes (a State endangered species) in the wetland complex on the subject property. NHFGD requested the establishment of a no-cut wetland buffer left in a natural, unmanaged state. NHFGD also requested that no dredging, removal of aquatic vegetation, or constructed access be allowed in the wetland complex.
7. The applicant coordinated with NHFGD in the establishment of a no-cut wetland buffer on the subject property for the protection of pied-billed grebe habitat. The no-cut buffer is proposed along the entire edge of the wetland complex on the property. This buffer is to be left in a natural, unmanaged state.
8. The applicant coordinated with NHFGD in the design of the stream crossing for access to the subject property. NHFGD submitted comments to the DES Wetlands Bureau (received August 23, 2006) stating that the proposed box culvert should provide passage for the majority of aquatic and terrestrial species in the area and that the large size should minimize clogging problems and hopefully reduce the likelihood of beaver activity.
9. The box culvert will be embedded two (2) feet and native material (removed from the streambed during culvert installation) will be placed in the culvert to emulate a natural stream channel bottom within the culvert.
10. The applicant's agent submitted comments to the DES Wetlands Bureau (received June 1, 2006) stating that in their opinion, the isolated wetland on Lot 3-1-4 does not qualify as a vernal pool because the area is only saturated to the surface and does not contain sufficient water to support vernal pool species.
11. The applicant's agent has indicated that the drainage structures have been designed for the 50-year storm event.
12. The Conservation Commission did not sign the original application and did not submit comments.
13. The DES Wetlands Bureau finds that a public hearing is not required since the project does not propose significant impact on resources protected by RSA 482-A and the project is not of substantial public interest, as required by RSA 482-A:8.

**2006-00365                      NH FISH & GAME DEPARTMENT**  
**DEERFIELD   Pleasant Lake**

Requested Action:

Impact 2100 sq ft of lake bed and bank to construct a 12 ft by 43 ft public boatramp and impact 9350 sq ft of wetland to construct a parking area for ramp users, on Pleasant Lake, Deerfield.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

NH NHI and NH Fish and Game will not be submitting comments

**APPROVE PERMIT:**

Impact 2100 sq ft of lake bed and bank to construct a 12 ft by 43 ft public boatramp and impact 9350 sq ft of wetland to construct a parking area for ramp users, on Pleasant Lake, Deerfield.

**With Conditions:**

1. All work shall be in accordance with plans by Fay Spofford and Thorndike LLC dated September 21, 2001, revision date December 30, 2006, as received by the Department on February 03, 2006.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Appropriate siltation/erosion/turbidity controls, including a turbidity curtain, shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Work shall be done during draw down.
6. Upland and bank areas landward of the boat ramp shall not be disturbed by regrading or filling, to minimize the potential for erosion of materials into Pleasant Lake.
7. There shall be no cutting of trees or removal of any stumps from the bank except for the area within which construction of the ramp will take place or as noted on plans submitted. No stumps shall be removed within 50 ft of the lake.
8. The ramp approach shall be crowned so that drainage is directed away from the slope of the ramp.
9. The boat ramp shall be utilized indefinitely as a public access to Pleasant Lake and shall not change in use.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**With Findings:**

1. This is a major impact project per Administrative Rule Env-Wt 303.02(g), removal of more than 20 cubic yards of rock, gravel, sand, mud, or other material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem, or Pleasant Lake.

-Send to Governor and Executive Council-

**2006-01058                      PROPERTY OWNERS ASSOCIATION AT SUISSEVALE INC  
MOULTONBOROUGH   Lake Winnepesaukee**

**Requested Action:**

Relocate 9 rocks, dredge 18 cu yds of sand from 950 sq ft of lakebed, replenish 7,400 sq ft of community beach with 140 cu yd of sand and construct approximately 310 linear ft of berm to divert surface water away from the beach on 1,750 ft of frontage on Lake Winnepesaukee, in Moultonborough.

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**APPROVE PERMIT:**

Relocate 9 rocks, dredge 18 cu yds of sand from 950 sq ft of lakebed, replenish 7,400 sq ft of community beach with 140 cu yd of sand and construct approximately 310 linear ft of berm to divert surface water away from the beach on 1,750 ft of frontage on Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by David Dolan Associates revised August 18, 2006, as received by the Department on August 22, 2006.
2. Dredged or excavated material not used to replenish the beach shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. No more than 140 cu yd of sand may be used and all sand shall be located above the normal high water line.
4. This permit shall be used only once, and does not allow for annual beach replenishment.
5. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Work shall be done during drawdown.
8. Rocks shall be deposited within with the area identified on the plan.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(o), replenishment of a community beach with more than 20 cu yd of sand.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of the Lake Winnepesaukee ecosystem.

**2006-01330                      TUBLLEJA, JOANNA**  
**MANCHESTER   Unnamed Wetland**

Requested Action:

Fill 24,951 sq.ft. of wetlands for access to single family housing units.

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DENY PERMIT:

Fill 24,951 sq.ft. of wetlands for access to single family housing units.

With Findings:

1. The applicant proposed a "red herring" or "specimen plan" to the Bureau at the request of the City of Manchester.
2. The City of Manchester has requested the DES review the enclosed specimen plan in order to determine the maximum allowable density of lot construction on the subject lot.
3. The applicant states "THIS PLAN WILL NOT BE CONSTRUCTED IN THE CONFIGURATION PRESENTED. Rather, the Specimen Plan has been designed to allow DES to review the feasibility under applicable state wetlands regulations of a specimen subdivision plan for the Parcel.
4. "In fact, the Applicant proposes to construct a cluster subdivision located entirely at the front or northerly end of the Parcel, with a minimum wetlands impact. The actual proposed configuration is presented in a plan entitled Site Plan, Grading, and Utility Plan ("the Cluster Plan")."
5. Approvals must be consistent with the findings of public purpose set forth by RSA 482-A:1.
6. The applicant has failed to provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
7. The applicant must demonstrate by plan and example that each factor listed in Rule Env-Wt 302.04(a) or (b) or (c), (select

appropriate one), Requirements for Application Evaluation, has been considered in the design of the project.

8. According to Rule Env-Wt 302.04(d), the department shall not grant a permit if the applicant fails to document that the proposed alternative is the one with the least adverse impact to areas and environments under the department's jurisdiction, or if the applicant proposes unnecessary destruction of wetlands.

9. The applicant has failed to submit a mitigation plan as required for projects over 10,000 sq.ft. pursuant to Wt 800.

**2006-01538                      SCOTT, RUSSELL**  
**ALTON   Lake Winnepesaukee**

**Requested Action:**

Fill 580 sq ft to construct a 45 ft long breakwater with a 6 ft gap from the shoreline and construct a 50 ft cantilevered dock at the shoreline accessed by 4 ft wide wooden steps constructed over the bank on 100 ft of frontage in Alton on Lake Winnepesaukee.

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**APPROVE PERMIT:**

Fill 580 sq ft to construct a 45 ft long breakwater with a 6 ft gap from the shoreline and construct a 50 ft cantilevered dock at the shoreline accessed by 4 ft wide wooden steps constructed over the bank on 100 ft of frontage in Alton on Lake Winnepesaukee.

**With Conditions:**

1. All work shall be in accordance with plans by Winnepesaukke Marine Construction dated June 12, 2006, as received by the Department on June 21, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
9. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
10. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
11. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
12. The breakwater shall have an irregular face to dissipate wave energy.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**With Findings:**

1. This project is classified as a major project per Rule Env-Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.06, Breakwaters.
3. The applicant has an average of 100 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.12 Frontage Over 75'.
5. The proposed docking facility will provide no more than 2 slips as defined per RSA 482-A:2, and therefore meets Rule Env-Wt 402.12.
6. DES Staff conducted a field inspection of the proposed project on July 25, 2006. Field inspection determined breakwater docking facility location meets Wetlands Bureau rules and regulations.
7. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland

ecosystem.

-Send to Governor and Executive Council-

## MINOR IMPACT PROJECT

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**2003-00585                      SPINDLE POINT REALTY TRUST**  
**MEREDITH   Lake Winnepesaukee**

### Requested Action:

Applicant requests that permit be amended to relocate the docking facility 24 ft southerly of the original location.

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### Conservation Commission/Staff Comments:

Con. Com. had no objections to proposed project.

### APPROVE AMENDMENT:

Amend permit to read: Install two 6 ft x 40 ft seasonal piers connected by a seasonal 6 ft x 12 ft walkway, hinged to two 4 ft x 6 ft concrete pads recessed into the bank, on an average of 183 ft of frontage on Sally's Gut, Lake Winnepesaukee.

### With Conditions:

1. All work shall be in accordance with plans by David M. Dolan Associates, P.C. as received by the Department on July 25, 2006.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Seasonal piers shall be removed for the non-boating season.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that the "existing structures" were not previously permitted or grandfathered.
9. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
10. The concrete pads shall be constructed lakeward of the normal highwater line.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

### With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), installation of a 3-slip seasonal docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-01230 SANDOWN, TOWN OF**  
**SANDOWN Exeter River**

**Requested Action:**

Impact a total of 1,994 s.f. within the banks of the Exeter River to included 196 s.f. of permanent impact, 1,798 s.f. of temporary impact, and 101 linear feet of impact to remove the existing bridge deck, repair concrete substructure and other damaged concrete, install erosion/scour protection for embankments by stabilization with rip-rap, and replace existing guardrail for safety.

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**Conservation Commission/Staff Comments:**

The Sandown Conservation Commission (SCC) conditionally supports the project.

The Exeter River Local Advisory Committee has no objections and echos the SCC conditions.

**APPROVE PERMIT:**

Impact a total of 1,994 s.f. within the banks of the Exeter River to included 196 s.f. of permanent impact, 1,798 s.f. of temporary impact, and 101 linear feet of impact to remove the existing bridge deck, repair concrete substructure and other damaged concrete, install erosion/scour protection for embankments by stabilization with rip-rap, and replace existing guardrail for safety.

**With Conditions:**

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc. dated August 2006, as received by the Department on August 4, 2006.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. The Sandown Conservation Commission and their consultant, Jeff Orchard, shall be notified in writing prior to commencement of work and upon its completion.
4. Extraordinary measures are required to protect the Exeter River during this project.
5. Work shall be done during seasonal low flow conditions.
6. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
7. Faulty equipment shall be repaired prior to entering jurisdictional areas.
8. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
9. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03((1) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01., as the existing bridge is in disrepair causing the road to be closed.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03., rehabilitating the existing bridge is the least impacting option as a complete replacement would result in greater impact the Exeter River.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. In a letter dated, May 12, 2005, The Sandown Conservation Commission (SCC) voted a "Favorable Report" in support of the project with the following conditions: a.) The SCC and their consultant be notified prior to work being done; b.) The language:



"Extraordinary measures are required to protect the Exeter River during the project" is inserted in all bid documents and drawings; c.) That the boom "in-river" siltation device not to be used; d.) The work be done during low water flow periods.

6. In a letter dated, May 25, 2005, the Exeter River Local Advisory Committee (ERLAC) stated that they have no objections to the project and echo the concerns enumerated by the SCC.

7. DES makes the following findings in response to the SCC letter: a.) The SCC and their consultant be notified prior to work being done, as this will be a permit condition; b.) The language: "Extraordinary measures are required to protect the Exeter River during the project" is a condition on the permit; c.) DES finds the silt booms offer the best protect to the Exeter River as sheet pile and coffer dams will have greater impacts; The work be done during low water flow periods is conditioned on the permit.

**2006-01370                      ALTON, TOWN OF**  
**ALTON   Unnamed Stream**

**Requested Action:**

Impact a total of 1059 square feet of palustrine forested wetland and intermittent stream (Permanent impacts 877 square feet, temporary impacts 182 square feet) to replace existing culvert in disrepair with twin 36-inch x 105 linear foot culverts and reroute the previously impacted stream away from the roadside.

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**APPROVE PERMIT:**

Impact a total of 1059 square feet of palustrine forested wetland and intermittent stream (Permanent impacts 877 square feet, temporary impacts 182 square feet) to replace existing culvert in disrepair with twin 36-inch x 105 linear foot culverts and reroute the previously impacted stream away from the roadside.

**With Conditions:**

1. All work shall be in accordance with plans by NH Soil Consultants dated May 18, 2006, as received by the Department on June 1, 2006.
2. The Town shall obtain easements from affected landowners for work outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2006-01370 prior to construction.
3. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be done during periods of non-flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project.

5. The Alton Conservation Commission supports the proposed project.

6. The culvert realignment will relocate the thread of the stream from running along the edge of the roadway and reduce the opportunity for pollutants to enter the system.

**2006-01414                      MCSHREFFREY JR, CHARLES**  
**DEERFIELD   Unnamed Wetland**

**Requested Action:**

Dredge and fill 1,856 of wetlands and impact 60 linear ft. of banks and channel of Nicholls Brook to install a 20'x 12' x 5' box culvert with natural stream bottom to access a single 75 acre site for woodlot or single house construction.

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**APPROVE PERMIT:**

Dredge and fill 1,856 of wetlands and impact 60 linear ft. of banks and channel of Nicholls Brook to install a 20'x 12' x 5' box culvert with natural stream bottom to access a single 75 acre site for woodlot or single house construction.

**With Conditions:**

1. All work shall be in accordance with plans by Blaisdell Survey LLC dated 12/23/2005, as received by the Department on 6/08/2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
4. This permit is contingent upon receipt and DES approval of stream diversion/ dewatering plan for work at crossing locations which involve perennial streams.
5. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Silt fencing must be removed once the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
11. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
12. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Work shall be done during low flow.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of a perennial

stream.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The stream must be crossed at some location on the property to access usable uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant proposes to cross the wetland and stream in the narrowest location, and has obtained written permission from the abutter to waive the 20' setback, to do so.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. The Deerfield Conservation Commission did not report on this project. No NHI hits were reported for this project. The applicant has designed the crossing to enable aquatic species passage.

**2006-02066                      WHITEFIELD, TOWN OF**  
**WHITEFIELD   Johns River**

**Requested Action:**

Temporarily impact 1,450 square feet along 60 linear feet of Johns River bed and bank for existing watermain replacement.

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**APPROVE PERMIT:**

Temporarily impact 1,450 square feet along 60 linear feet of Johns River bed and bank for existing watermain replacement.

**With Conditions:**

1. All work shall be in accordance with plans by Watershed to Wildlife, Inc. dated July 2006, as received by the Department on August 10, 2006.
2. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within restoration area. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.

16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
20. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
21. Mulch within the restoration area shall be straw.
22. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
23. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
24. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), projects that disturb less than 200 linear feet of a river.
2. The proposed project is not associated with the Airport Marsh Dam or Hazens Pond.
3. No comments were submitted from the Whitefield Conservation Commission, the NH Natural Heritage Bureau, or the NH Fish and Game Department.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**MINIMUM IMPACT PROJECT**

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**2005-01775                      COOPER, EDWARD/JOHN**  
**DERRY   Unnamed Wetland**

Requested Action:

Agent submitted a request to amend the permit to impact an addition 300 square feet to include the replacement of an existing culvert and catch basin in the far east corner of the site.

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Conservation Commission/Staff Comments:

The Derry Conservation Commission did not comment on the project.

APPROVE AMENDMENT:

Amend the original impacts with an additional 300 square feet of impact for the replacement of an existing culvert and catch basin in the east corner of the property to a total of 2,604 square feet to include 2,304 square feet of palustrine wet meadow for the creation of a storm water treatment/wetland mitigation area associated with the construction of a 14,820 square foot retail store and create a total of 13,400 square feet of wetland.

With Conditions:

1. All work shall be in accordance with plans by Appledore Engineering, Inc. dated June 15, 2005, as received by the Department

on August 1, 2005 and plans dated May 12, 2006 and revised June 30, 2006, as received by the Department on July 20, 2006.

2. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. DES staff shall be notified in writing prior to commencement of work and upon its completion.
4. All work shall be performed under low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

Wetland construction:

1. This permit is contingent upon the creation of 13,400 sq. ft. of wetlands in accordance with plans received August 1, 2005.
2. The schedule for construction of the mitigation area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
3. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
4. Wetland creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands impacted by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
5. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
6. The permittee shall notify DES and the Derry Conservation Commission in writing of their intention to commence construction no less than 5 business days prior to construction.
7. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
8. Wetland creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
9. The permittee shall delineate the wetlands within the mitigation site, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.
10. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
11. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
12. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as these impacts are necessary to develop the site.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction as, the area of fill will be mitigated with 13,400 square feet of wetland creation.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The previous permitted project, 1999-0084, was not completed and the original area of wetland creation was never completed.

6. This file supercedes the aforementioned file and the mitigation associated with that file will be complete in accordance with this permit.
7. On July 20, 2006, DES received a request to amend the original impacts to include the replacement of a existing, failed culvert and catch basin. The failure of these structures was confirmed with an endoscope which revealed a large root crushed the culvert. Due to this failure has exasperated the flooding basements of adjacent homes.

**2006-01326 SAVAGE, CRYSTAL**  
**WHITEFIELD Unnamed Wetland**

Requested Action:

Retain 223 square feet of wetlands impact for installed 15-inch x 30-foot culvert and impact 1,853 square feet of wetlands to install a 15-inch x 30-foot culvert for driveway access to one (1) lot of a four (4) lot subdivision on 37.56 acres.

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## APPROVE PERMIT:

Retain 223 square feet of wetlands impact for installed 15-inch x 30-foot culvert and impact 1,853 square feet of wetlands to install a 15-inch x 30-foot culvert for driveway access to one (1) lot of a four (4) lot subdivision on 37.56 acres.

With Conditions:

1. All work shall be in accordance with plans by Colin F. Sutherland as received by the Department on September 05, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culverts shall be laid out at original grade.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wetlands.
2. Tax map/lot 226/10 is under separate ownership and no wetland impacts are anticipated for this subdivision.
3. The Whitefield Conservation Commission signed the application and submitted a letter of support.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-01387**  
**CANDIA**

Requested Action:

Dredge and fill 643 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a driveway/ culvert crossing of an intermittent flow channel to access a single-family house lot on a 1.65 acre portion of a 3.4 acre parcel of land.

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Conservation Commission/Staff Comments:

No comments were received from the Candia Conservation Commission for the project.

APPROVE PERMIT:

Dredge and fill 643 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a driveway/ culvert crossing of an intermittent flow channel to access a single-family house lot on a 1.65 acre portion of a 3.4 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Civil Construction Management, Inc. dated March 2006 (revised 7/26/06), as received by the Department on July 28, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, septic setback or other construction activities..
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.
7. Work shall be done during low flow.

With Findings:

1. Concerns of abutter Tina Churchill (Candia tax map 402/ lot # 33) have been addressed. Her location is downstream of the proposed culvert location and therefore no dam effect or backing up of water on her property will occur as a result of the driveway construction.

**FORESTRY NOTIFICATION**

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**2006-01648                      TILLOTSON CORPORATION**  
**DIXVILLE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Dixville Tax Map 1626, Lot# 6.1

**2006-02096                      DS NOBLE REALTY LLC**  
**WEARE   Unnamed Stream**

**2006-02206                      ALLARD, JAMES**  
**MARLOW**

COMPLETE NOTIFICATION:

Marlow Tax Map 409, Lot# 44

**2006-02207                      ALLARD, JAMES**  
**MARLOW**

COMPLETE NOTIFICATION:  
Marlow Tax Map 203, Lot# 116

**2006-02220                      ERNSTROM, EDWARD**  
**GRAFTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Grafton Tax map 15 & 19, Lot# 853 & 1068

**2006-02226                      CHOCORUA FORESTLANDS LLC, JEFFERY COOMBS**  
**OSSIPEE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Ossipee Tax Map 1, Lot# 1,2,3 & 4

**2006-02232                      DEYMARMOND, JAMES**  
**BELMONT   Unnamed Stream**

COMPLETE NOTIFICATION:  
Belmont Tax Map 223, Lot# 37 & 38

**2006-02247                      BEMIS FARM TRUST**  
**TAMWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Tamworth Tax Map 422, Lot# 9

**2006-02273                      NH DRED**  
**ALLENSTOWN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Allentown Tax Map 7, Lot# 2

**2006-02276                      MACKENZIE TRUST, SUSAN**  
**GILMANTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Gilmanton Tax Map 27, Lot# 73



**2006-02277                      ST PARADE LLC**  
**BARTLETT   Unnamed Stream**

COMPLETE NOTIFICATION:

Bartlett Tax Map 1RT16A, Lot# 160-R00

**2006-02278                      GRUPPOSO, PAUL & MARGARET**  
**HILLSBOROUGH   Unnamed Stream**

COMPLETE NOTIFICATION:

Hillsboro Tax Map 1, Lot# 13

**EXPEDITED MINIMUM**

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**2006-01598                      JONES, DONALD & ANDRA**  
**HENNIKER   Long Pond**

Requested Action:

Construct a 14 ft x 25 ft perched beach with 25 linear ft of retaining wall on 200 ft of frontage in Henniker on Long Pond.

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APPROVE PERMIT:

Construct a 14 ft x 25 ft perched beach with 25 linear ft of retaining wall on 200 ft of frontage in Henniker on Long Pond.

With Conditions:

1. All work shall be in accordance with plans by Don Jones dated August 7, 2006, as received by the Department on August 9, 2006.
2. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau and Shoreland jurisdiction.
5. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line. Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
6. The steps installed for access to the water shall be located completely landward of the normal high water line.
7. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area. If beach requires replenishment before a 6 year period, a Standard Dredge and Fill application shall be filed for the replenishment with plans prepared by a certified professional in erosion and sediment control.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. No portion of the beach shall be constructed on a bank with a slope exceeding 25%.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), Construction of a beach.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-01946                      FRENCH, MICHAEL & SUSAN FRENCH**  
**BRADFORD   Unnamed Stream**

Requested Action:

Temporary impact of 50 square feet of intermittent stream and associated palustrine emergent wetlands to install a water line.

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Conservation Commission/Staff Comments:

The Conservation Commission signed the application but did not submit comments.

APPROVE PERMIT:

Temporary impact of 50 square feet of intermittent stream and associated palustrine emergent wetlands to install a water line.

With Conditions:

1. All work shall be in accordance with plans by Michael French dated July 7, 2006, as received by the DES Wetlands Bureau on September 6, 2006.
2. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. All work shall be done during no flow.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
8. Silt fence(s) must be removed once the area is stabilized.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Temporary impacts shall be regraded to original contours following completion of work and replanted with similar native (noninvasive) wetland species.
11. Areas of temporary impact shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering or working near surface waters or wetlands.
13. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
16. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ae), installation of residential utility lines and

associated temporary impacts to permit utility services for a single family building lot.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary to install a water line from the applicant's well to the house.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The location of the applicant's well is dictated by setbacks.
6. The proposed project is located within the protected shoreland of Lake Massasecum.
7. The Conservation Commission signed the application but did not submit comments.

**2006-01993                      MANCHESTER WATER WORKS**  
**MANCHESTER   Lake Massabesic**

**Requested Action:**

Placement of an approximately 30 ft. x 40 ft. (1,200 sq. ft.) submerged baffle weir on an existing water intake pipe on the bed of Lake Massabesic and dredge and fill approximately 16 sq. ft. (4 linear ft.) of bank to install a 1.25 in. air supply line for installation of the baffle weir.

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**APPROVE AMENDMENT:**

Placement of an approximately 30 ft. x 40 ft. (1,200 sq. ft.) submerged baffle weir on an existing water intake pipe on the bed of Lake Massabesic and dredge and fill approximately 16 sq. ft. (4 linear ft.) of bank to install a 1.25 in. air supply line for installation of the baffle weir.

**With Conditions:**

1. All work shall be in accordance with plans by Ecosystem Consulting Service, Inc., dated May 9, 2006, as received by the Department on August 9, 2006 and plan note numbers 1 and 2 on the previous "Replacement of Subaqueous Intake and Construction of Raw Water Pumping Station" plan, received by the Department on August 9, 2006 and air supply line plan and narrative by Manchester Water Works as received by the Department on September 1, 2006.
2. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
3. The bank impacts shall be stabilized and restored in-kind immediately following completion of the air supply line work.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
6. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
7. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The Manchester Conservation Commission signed the application waiving their right to intervene.
4. The New Hampshire Fish and Game Department did not submit comments.
5. The New Hampshire Natural Heritage Bureau submitted comments noting that a natural community, sandy pond shore system, is located at the site.
6. The proposed project amendment involves dredging and filling a small section of bank that is currently armored with large stones and is mowed lawn from the top of the bank to the "Raw Water Pump Station".
7. The Department issued a permit (#1995-1353) in 1995 for the installation of the existing 60 in. intake pipe.

**2006-02020                      EXETER CORP PARK DEVELOPMENT LLC**  
**EXETER   Unnamed Wetland**

Requested Action:

Impact 2,200 square feet of forested wetland for the installation of a 18-inch by 36-foot culvert and riprap for outlet protection to construct a driveway crossing for access to buildable uplands on 4.59 acres.

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Conservation Commission/Staff Comments:

The Exeter Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 2,200 square feet of forested wetland for the installation of a 18-inch by 36-foot culvert and riprap for outlet protection to construct a driveway crossing for access to buildable uplands on 4.59 acres.

With Conditions:

1. All work shall be in accordance with Entrance & Utility Plan-C2 (Sheet 7 of 12) by Beals Assoc., PLLC dated June 2006, as received by the Department on August 10, 2006.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for any other construction related activities.
4. Work shall be done during seasonal low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. The culvert outlet shall be properly riprapped in accordance with the plans.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01., as the impacts are necessary to access buildable uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03., as the crossing will occur at the narrowest portions of wetlands.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-02021                      MORRISON, RANDY & JENNIFER**  
**WENTWORTH   Unnamed Wetland**

Requested Action:

Dredge and fill 1,120 square feet of wetlands to install two 24-inch x 20-foot culverts for driveway access to one (1) lot of a two (2) lot subdivision on 5.21 acres.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 1,120 square feet of wetlands to install two 24-inch x 20-foot culverts for driveway access to one (1) lot of a two (2) lot subdivision on 5.21 acres.

With Conditions:

1. All work shall be in accordance with plans by Abenaki Environmental Services as received by the Department on August 10, 2006 and subdivision plans surveyed by Elwin E. Macomber dated May 2006, as received by the Department on August 10, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow conditions.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culverts shall be laid at original grade.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-02026                      GOODRICH, SCOTT & HELLE**  
**FRANCESTOWN    Unnamed Wetland**

Requested Action:

Dredge 11,345 square feet of palustrine forested wetlands to create a 20,296 square foot agricultural/wildlife/recreational pond and associated outlet structure.

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Conservation Commission/Staff Comments:

The Conservation Commission signed the application but did not submit comments.

APPROVE PERMIT:

Dredge 11,345 square feet of palustrine forested wetlands to create a 20,296 square foot agricultural/wildlife/recreational pond and associated outlet structure.

With Conditions:

1. All work shall be in accordance with plans by Christopher K. Danforth & Associates, LLC dated July 21, 2006, as received by the DES Wetlands Bureau on August 11, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. All work shall be done during low flow.

4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Dredged material shall be dewatered in sedimentation basins located outside of the jurisdiction of the DES Wetlands Bureau. The dewatering area shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering or working near surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
15. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p), construction of a pond with less than 20,000 sq. ft. of wetlands impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary to create a 20,296 square foot agricultural/wildlife/recreational pond.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Env-Wt 302.03. The pond was designed to be partially constructed in wetlands and partially in uplands. The proposed design also includes wildlife habitat enhancement features including different depth regimes, rock clusters, and aquatic plants.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The area in which the pond construction is proposed was recently logged with approximately half of the standing mature timber removed.
6. The soil in which the pond construction is proposed is poorly drained.
7. There are no streams flowing into or out of the proposed pond site.
8. The Conservation Commission signed the application but did not submit comments.

**2006-02189                      SCHROEDER, CHARLES**  
**ACWORTH   Unnamed Wetland**

Requested Action:

Dredge and fill 1,347 square feet of palustrine forested wetlands including the installation of a 15-inch x 20-foot culvert and associated headwalls to construct a driveway for access to a single family building lot.

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Conservation Commission/Staff Comments:

The Conservation Commission signed the application but did not submit comments.

**APPROVE PERMIT:**

Dredge and fill 1,347 square feet of palustrine forested wetlands including the installation of a 15-inch x 20-foot culvert and associated headwalls to construct a driveway for access to a single family building lot.

**With Conditions:**

1. All work shall be in accordance with plans by Site Succor Design dated August 1, 2006, as received by the DES Wetlands Bureau on August 14, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. All work shall be done during low flow.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
8. Silt fence(s) must be removed once the area is stabilized.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering or working near surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
15. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary for the construction of a driveway for access to a single family building lot.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Env-Wt 302.03. The driveway was configured to minimize wetlands impacts by crossing the wetlands at the narrowest point.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conservation Commission signed the application but did not submit comments.

**TRAILS NOTIFICATION**

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**2006-02246                      TOWNSEND, SARA**  
**PLAINFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Plainfield Tax Map 234, Lot# 4

**LAKES-SEASONAL DOCK NOTIF**

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**2006-02167                      FISHER, SCOTT AND MARYANN**  
**DEERFIELD   Pleasant Lake**

COMPLETE NOTIFICATION:  
Deerfield NH Tax Map# 207 Lot# 20 Pleasant Lake

**2006-02238                      MICHNIEWICZ, JOHN**  
**ALTON   Lake Winnepesaukee**

COMPLETE NOTIFICATION:  
Alton NH Tax Map# 66 Lot# 10 Lake Winnepesaukee

**ROADWAY MAINTENANCE NOTIF**

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**2006-02230                      NH DEPT OF TRANSPORTATION**  
**LITTLETON   Unnamed Stream**

**2006-02231                      NH DEPT OF TRANSPORTATION**  
**LANDAFF   Unnamed Stream**

**2006-02237                      TOWN OF STARK**  
**STARK   Unnamed Stream**

**2006-02279                      NH DEPT OF TRANSPORTATION**  
**PITTSBURG   Unnamed Stream**



**2006-02280 NH DEPT OF TRANSPORTATION**  
**TILTON Unnamed Stream**

**2006-02281 NH DEPT OF TRANSPORTATION**  
**NORTH HAMPTON Unnamed Stream**

**PERMIT BY NOTIFICATION**

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**2006-01741 SHARPE, AUDREY**  
**ALTON Lake Winnepesaukee**

Requested Action:

Install a PWC lift.

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PBN IS COMPLETE:

Install a PWC lift.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ad) installation of a seasonal personal watercraft lift.

**2006-01912 HAWKINS, PHYLLIS**  
**MEREDITH Lake Winnepesaukee**

Requested Action:

Beach replenishment

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PBN DISQUALIFIED:

Beach replenishment

With Findings:

1. Applicant failed to provide a usable mailing address and information requested, more information request was sent 8/3/2006, letter came back 25 days after being sent.

**2006-02050 COPELAND, ROBERT**  
**WOLFEBORO Rust Pond**

Requested Action:

Install a 6 ft x 40 ft seasonal pier hinged to a 4 ft x 6 ft concrete pad.

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PBN IS COMPLETE:

Install a 6 ft x 40 ft seasonal pier hinged to a 4 ft x 6 ft concrete pad.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a) install a seasonal pier.

**2006-02161                      CONNELLY, ROBERT**  
**EFFINGHAM   Province Lake**

Requested Action:

Repair/replace existing 54 linear ft of retaining wall on 95 ft of frontage on Province Lake in Effingham.

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PBN IS COMPLETE:

Repair/replace existing 54 linear ft of retaining wall on 95 ft of frontage on Province Lake in Effingham.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2006-02245                      GORMAN, EDWARD**  
**HANOVER   Unnamed Stream Wetlands**

Requested Action:

Dredge and fill 552 square feet of wetlands along approximately 40 linear feet of intermittent stream to install a 24-inch x 27-foot culvert for driveway access to a single family residence.

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PBN IS COMPLETE:

Dredge and fill 552 square feet of wetlands along approximately 40 linear feet of intermittent stream to install a 24-inch x 27-foot culvert for driveway access to a single family residence.